



10-1-08

JFW -

DTC.
RCE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/845,088

Filing Date April 26, 2001

First Named Inventor J.J. Garcia-Luna-Aceves

Art Unit 2154

Examiner Name Siddiqi, Mohammad A.

Attorney Docket No. 5543P003

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
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 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Petition Under 37 C.F.R. § 1.78(a)(3) and § 1.78(a)(6) for Acceptance of Unintentionally Delayed Claim for Priority
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
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 - b. Check in the amount of \$ 810.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Lester J. Vincent Registration No. (Attorney/Agent) 31,460
Signature 

Date September 29, 2008

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) _____
Signature _____ Date _____

Express Mail No. (only if applicable): EV897653336US

10/02/2008 WBDDEL11 000000007 022666 09845088
01 FC:1801 810.00 DA

INSTRUCTION SHEET FOR RCEs
(Not to be submitted to the USPTO)

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See MPEP 706.07(h) for further information on the RCE practice.



FEE TRANSMITTAL FOR FY 2008

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 2,220.00

Complete if Known:

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 Examiner Name Siddiqi, Mohammad A.
 Art Unit 2154
 Attorney Docket No. 5543P003

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify)

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Large Entity | Small Entity | Fee Description | Fees Paid (\$) |
|--------------|--------------|-----------------|------------------------------------|
| Fee | Fee | Fee | |
| Code | (\$) | Code | (\$) |
| 1011 | 310 | 2011 | Utility application filing fee |
| 1111 | 510 | 2111 | Utility search fee |
| 1311 | 210 | 2311 | Utility examination fee |
| | | | 1,030/515 |
| 1012 | 210 | 2012 | Design application filing fee |
| 1112 | 100 | 2112 | Design search fee |
| 1312 | 130 | 2312 | Design examination fee |
| | | | 440/220 |
| 1013 | 210 | 2013 | Plant filing fee |
| 1113 | 310 | 2113 | Plant search fee |
| 1313 | 160 | 2313 | Plant examination fee |
| | | | 680/340 |
| 1004 | 810 | 2004 | Reissue filing fee |
| 1114 | 510 | 2114 | Reissue search fee |
| 1314 | 620 | 2314 | Reissue examination fee |
| | | | 1,940/970 |
| 1005 | 210 | 2005 | Provisional application filing fee |
| | | | |
| | | | SUBTOTAL (1) \$0.00 |

2. EXCESS CLAIM FEES

Fee Description

| <u>Large Entity</u> | | <u>Small Entity</u> | |
|---------------------|-----|---------------------|-----|
| Fee | Fee | Fee | Fee |

| Code | Fee (\$) | Code | Fee (\$) | <u>Fee Description</u> |
|------|----------|------|----------|--|
| 1202 | 50 | 2202 | 25 | Each claim over 20 |
| 1201 | 210 | 2201 | 105 | Each independent claim over 3 |
| 1203 | 370 | 2203 | 185 | Multiple dependent claims, if not paid |
| 1204 | 210 | 2204 | 105 | Reissue: each claim over 20 and more than in the original patent |
| 1205 | 50 | 2205 | 25 | Reissue: each independent claim more than in the original patent |

| <u>Extra Claims</u> | <u>Fee</u> | <u>Fees Paid (\$)</u> |
|---------------------|------------|-----------------------|
|---------------------|------------|-----------------------|

Total Claims _____ - 20 or HP = _____ X \$ 50.00 = _____

HP = highest number of total claims paid for, if greater than 20

Independent Claims _____ - 3 or HP = _____ X \$210.00 = _____

HP = highest number of independent claims paid for, if greater than 3

Multiple Dependent Claims _____ = _____

SUBTOTAL (2) \$ _____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee from below</u> | <u>Fees paid (\$)</u> |
|---------------------|---|---|---------------------------|-----------------------|
| _____ | - 100 = _____ / 50 = _____ (round up to whole number) | X \$260.00 | _____ | _____ |

| <u>Large Entity</u> | | <u>Small Entity</u> | |
|---------------------|-----|---------------------|-----|
| Fee | Fee | Fee | Fee |

Code (\$)

Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):

| | | | | |
|------|-----|------|-----|---------|
| 1081 | 260 | 2081 | 130 | Utility |
| 1082 | 260 | 2082 | 130 | Design |
| 1083 | 260 | 2083 | 130 | Plant |
| 1084 | 260 | 2084 | 130 | Reissue |

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

| <u>Large Entity</u> | <u>Small Entity</u> | | <u>Fees Paid (\$)</u> |
|---|---------------------------------------|------|-----------------------|
| Non-English Specification, \$130 fee (no small entity discount) | | | |
| Fee | Fee | Fee | |
| Code | (\$) | Code | (\$) |
| 1051 | 130 | 2051 | 65 |
| 1052 | 50 | 2052 | 25 |
| 1053 | 130 | 1053 | 130 |
| 1812 | 2,520 | 1812 | 2,520 |
| 1813 | 8,800 | 1813 | 8,800 |
| 1804 | 920* | 1804 | 920* |
| 1805 | 1,840* | 1805 | 1,840* |
| 1251 | 120 | 2251 | 60 |
| 1252 | 460 | 2252 | 230 |
| 1253 | 1,050 | 2253 | 525 |
| 1254 | 1,640 | 2254 | 820 |
| 1255 | 2,230 | 2255 | 1,115 |
| 1401 | 510 | 2401 | 255 |
| 1402 | 510 | 2402 | 255 |
| 1403 | 1,030 | 2403 | 515 |
| 1451 | 1,510 | 1451 | 1,510 |
| 1452 | 510 | 2452 | 255 |
| 1453 | 1,540 | 2453 | 770 |
| 1501 | 1,440 | 2501 | 720 |
| 1502 | 820 | 2502 | 410 |
| 1503 | 1,130 | 2503 | 565 |
| 1462 | 400 | 1462 | 400 |
| 1463 | 200 | 1463 | 200 |
| 1464 | 130 | 1464 | 130 |
| 1807 | 50 | 1807 | 50 |
| 1806 | 180 | 1806 | 180 |
| 8021 | 40 | 8021 | 40 |
| 1809 | 810 | 2809 | 405 |
| 1814 | 130 | 2814 | 65 |
| 1810 | 810 | 2810 | 405 |
| 1801 | 810 | 2801 | 405 |
| 1802 | 900 | 1802 | 900 |
| 1504 | 300 | 1504 | 300 |
| 1505 | 300 | 1505 | 300 |
| 1803 | 130 | 1803 | 130 |
| 1808 | 130 | 1808 | 130 |
| 1454 | 1,410 | 1454 | 1,410 |
| <i>Other fee (specify)</i> | | | |
| <i>Other fee (specify)</i> | | | |
| SUBTOTAL (4) \$ 2,220.00 | | | |
| <i>*Reduced by Basic Filing Fee Paid</i> | | | |
| SUBMITTED BY: | | | |
| Typed or Printed Name: <u>/Lester J. Vincent/</u> | | | |
| Signature: <u>Lester J.</u> | Date: <u>September 29, 2008</u> | | |
| Reg. Number: <u>31,460</u> | Telephone Number: <u>408-720-8300</u> | | |
| Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 | | | |

**FEE TRANSMITTAL FOR FY 2008**

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

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Applicant claims small entity status. See 37 CFR 1.27.

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| 1005 | 210 | 2005 | |
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| | | | |
| | | | SUBTOTAL (1) \$0.00 |

2. EXCESS CLAIM FEES**Fee Description****Large Entity Small Entity**

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | <u>Fee Description</u> |
|-------------|-------------|-------------|-------------|--|
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| <u>Extra Claims</u> | <u>Fee</u> | <u>Fees Paid (\$)</u> |
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X \$ 50.00 = _____

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FEE CALCULATION (continued)**4. OTHER FEE(S)**

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| 1808 | 130 | 1808 | 130 |
| 1454 | 1,410 | 1454 | 1,410 |
| | | | Acceptance of unintentionally delayed claim for priority 1,410.00 |

Other fee (specify) _____

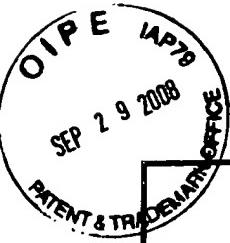
Other fee (specify) _____

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SUBMITTED BY:Typed or Printed Name: /Lester J. Vincent/Signature: Lester J.Date: September 29, 2008Reg. Number: 31,460Telephone Number: 408-720-8300

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Lester J. Vincent Registration No. (Attorney/Agent) 31,460
Signature [Signature] Date September 29, 2008

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) _____

Signature _____ Date _____

Express Mail No. (only if applicable): EV89765336US

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(Not to be submitted to the USPTO)

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